

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

LESLEY EUGENE WARREN, *

Petitioner-Appellant, *

v. *

Case No. 17-4

MARVIN POLK, *

Respondent-Appellee. *

* * * * *

**APPELLANT’S MOTION TO HOLD CASE IN ABEYANCE
PENDING RESOLUTION OF RELATED CASES**

This is an appeal from the denial of a 28 U.S.C. § 2254 capital habeas petition. The appellant, Lesley Eugene Warren, moves for an order holding this case in abeyance pending the outcome of related post-conviction matters pending in Guilford County, North Carolina, Buncombe County, North Carolina, and/or Greenville County, South Carolina. The undersigned counsel certifies that counsel communicated with opposing counsel on October 13, 2017, explaining the nature of the relief to be sought by way of this motion and seeking concurrence in the relief. Opposing counsel opposes the motion. A brief in support of this motion is filed herewith.

WHEREFORE, the appellant respectfully requests that this Court enter an order holding this case in abeyance pending the outcome of related cases.

October 24, 2017

Respectfully submitted,

/s/ Kristin D. Parks

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CERTIFICATE OF SERVICE

I hereby certify that foregoing has been duly served by first class mail upon Mr. Jess Mekeel, Assistant Deputy Attorney General, North Carolina Department of Justice, P.O. Box 629, Raleigh, North Carolina, 27602-0629, by placing a copy in an envelope addressed as stated above and by placing the envelope in a depository maintained by the United States Postal Service, as well as by electronic means via the Court's ECF system.

This the 24th day of October 2017,

/s/ Elizabeth G. Simpson

Elizabeth G. Simpson

Counsel for Appellant